



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

October 9, 1998

Ms. Linda R. Frank  
Assistant City Attorney  
City of Arlington  
P.O. Box 231  
Arlington, Texas 76004-0231

OR98-2404

Dear Ms. Frank.:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act (the "act"), chapter 552 of the Government Code. Your request was assigned ID# 118592.

The City of Arlington (the "city") received a request for certain information concerning the Texas Ranger's ballpark, "tickets issued to council members for the 1995 All-Star Game," and credit card billing information. You explain that "[o]f specific concern is Request No. 3 . . . Credit card bill for each Councilmember and City Manager for one past year of City issued credit cards."<sup>1</sup> In response to the request, you submit to this office for review a representative sample of the records at issue. Although you have released to the requestor most of the information from the credit card bill, you seek to withhold the actual credit card account numbers. You claim that the information at issue is excepted from required public disclosure based on sections 552.002 and 552.101 of the Government Code. We have considered the arguments and exceptions you raise and reviewed the submitted information.

Section 552.101 of the Government Code excepts from required public disclosure "information that is confidential by law, either constitutional, statutory, or by judicial decision." In your letter to this office, you argue that "[t]he legitimate public duty - of City officials who are duty-bound to protect public interest - is to keep these credit card numbers confidential." You also contend that a "City has a legitimate, common-law privacy interest in its financial tools, such as credit card numbers, and is required to protect such interest against public disclosure." We agree. In this instance, based on the facts presented facts,

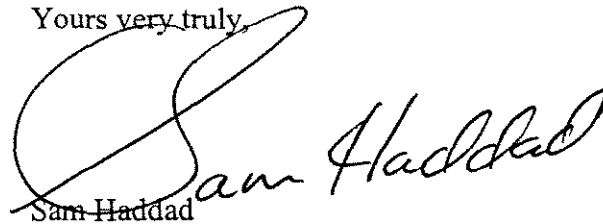
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<sup>1</sup>As you have not raised an applicable exception for the other portion of the request, we assume that the responsive information will be released.

there is not a legitimate public interest in the credit card account numbers at issue. *See* Open Records Decision No. 401 (1983) (statutory responsibility for proper care and protection of property of the state from damage, intrusion or improper usage). Therefore, you may withhold the redacted credit card account numbers, while releasing all other portions of the requested information. *See* Open Records Decision No. 444 (1986); Texas Ethics Advisory Opinion No. 95 (1992) (public interest in public employees' use of state-owned credit cards is clear); *cf.* Open Records Decision Nos. 600 (1992), 373 (1983).

We are resolving this matter with an informal letter ruling rather than with a published open records decision.<sup>2</sup> This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink that reads "Sam Haddad". The signature is fluid and cursive, with a large, looping initial "S".

Sam Haddad  
Assistant Attorney General  
Open Records Division

SH/nc

Ref.: ID# 118592

Enclosures: Submitted documents

cc: Mr. John Holsopple  
714 S. Deerfield Circle  
Arlington, Texas 75015  
(w/o enclosures)

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<sup>2</sup>In reaching this conclusion, we assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988) This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.